2009 Vote Ratings

National Journal's annual congressional vote ratings for 2009 show that long-standing ideological divides have persisted—and even deepened—in President Obama's Washington.

By Richard E. Cohen and Brian Friel



DEAF EARS? As members of Congress looked on during his Inaugural Address in January 2009, President Obama called for "an end to the petty grievances."

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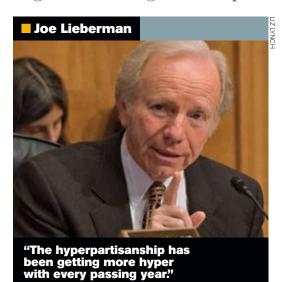
Just over a year ago, Democratic and Republican members of Congress gathered on the Capitol's West Front to hear President Obama's Inaugural Address. Like many of his predecessors, Obama called on Congress to change the way it does business. "The time has come to set aside childish things," he said, quoting scripture. "On this day, we come to proclaim an end to the petty grievances and false promises, the recriminations and worn-out dogmas that for far too long have strangled our politics."

But Congress didn't change for previous presidents. And it hasn't changed for this one.

Liberals, moderates, and conservatives stuck to their guns in 2009, whether for ideological, partisan, parochial, or electoral reasons, stymieing much of Obama's agenda. National Journal's annual vote ratings, which have ranked members of Congress on a conservative-to-liberal scale since 1981, found telling consistency in the long-standing ideological divides that define legislative battles on Capitol Hill. Some of those gulfs even deepened as the decades-long partisan sorting of liberals and conservatives into opposing camps continued apace last year.

"The hyperpartisanship has been getting more hyper with every passing year

that I've been here," said Sen. Joe Lieberman, ID-Conn., who ranked at the embattled center of the Senate in NJ's 2009 ratings. "Look, over American history, we've always had spirited politics,



particularly in election years. But for most of our history, that partisan political stuff usually ends for a while after elections. Nowadays, the campaigns never seem to end. That makes it very hard to get anything done."

To compile the 29th annual vote ratings, National Journal used a statistical analysis designed by Bill Schneider, a political analyst and commentator, and a contributing editor to this magazine. The computerassisted calculations rank members in each chamber along the ideological spectrum, based on how they voted on key economic, social, and foreignpolicy issues selected by a panel of NJ reporters and editors. For 2009, NJ identified 99 key votes in the Senate and 92 key votes in the House.

By design, the ratings highlight ideological differences between lawmakers. The past year in Congress was defined by liberal-conservative battles over economic issues, with health

Guide to NJ's Vote Ratings

- For all senators' and House members' scores in the 2009 vote ratings, see pp. 46-60.
- For tables highlighting the scores of the most-liberal and most-conservative members; the centrists; party and committee leaders; Senate "twins" and "odd couples"; state delegations in the House; and members on the **election "hot seats,"** see pp. 25-35.
- For **descriptions of the key votes** used to calculate the ratings, see pp. 36-44.
- For an explanation of **the methodology**, see pp. 42-43.

care reform dominating the debate and demonstrating the philosophical chasm between the two parties on the role of government in the nation's commerce. "Health care reform was both a field on which all this partisanship that has now become ingrained played itself out, but it also made it worse," Lieberman noted.

Beyond the health care issue, the sharp divisions between liberals and conservatives in Congress could be seen in Obama's successes—including the \$862 billion economic stimulus package, the confirmation of a Supreme Court justice, new paydiscrimination rules, and a hate crimes law. These differences also helped to stall or sink Obama's legislative priorities on financial regulatory reform, higher education, and climate change.

Ironically, even as lawmakers played mostly to their typical political form in 2009, many voiced growing frustration with the gridlock that frequently resulted. "We can't effectively address any of those issues unless we change the way we do it," freshman Rep. Walt Minnick, D-Idaho, said after Obama exhorted Congress to

act in his State of the Union address. Minnick is vulnerable in November's election in a district where GOP presidential nominee John McCain won 62 percent of the vote in 2008.

"We have to bring both parties together at the beginning of crafting a solution to problems, pick up the best thinking of Republicans and Democrats, and make that the core of the way we approach these issues," Minnick added. "That's the principal failure of how this Congress has operated so far, and it's what we must fundamentally change if we're going to make progress."

For many other Democrats who, like Minnick, were elected in 2006 and 2008 from Republican or swing areas, political survival dictates that they worry first about how their votes will play back home, rather than about how they will help advance the broader party agenda. Rep. Jason Altmire, D-Pa., a sophomore whose district McCain also carried, said in an interview that he believes that House Democrats' votes on two pivotal bills last year—health care reform and climate change—will have a significant impact on how they fare in November.

In fact, Altmire made a comparison to the 1994 election, which he said also turned on two important votes: the August 1993 approval of President Clinton's budget, including a controversial tax hike; and the May 1994 passage of the assault weapons ban. That election proved devastating for congressional Democrats, and Altmire had an inside view as a House staffer.

Of 21 centrist House Democrats who voted for both the Clinton budget and the assault weapons ban, 15 lost re-election in 1994 and three retired; only three won another term. A separate group of 20 centrist House Democrats who voted against both of those bills did far better: 17 won re-election and two retired; only one was defeated. Another three dozen centrist House Democrats who voted for only one of those two bills split about evenly

in their election outcomes.

Altmire believes that his votes last year against both the health care and the cap-and-trade climate legislation provide some political insulation from GOP campaign attacks. "Republicans will try to make the case tying me to an unpopular president," he said in an interview. "But intuitively, that's a hard case to make."

Walt Minnick

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Senate Democrats: Inevitable Infighting

In the summer before the Democrats' 2008 election sweep, Sen. Russell Feingold, D-Wis., offered National Journal a prescient warning about the dangers of one-party control of the White House and Congress. "The infighting is almost inevitable when you have everything," he said. "You have petty jealousies and power games that go on within the ruling party that lead to some pretty bad consequences.'

Ns vote ratings show how difficult it would have been for Senate Democratic leaders to avoid the feuding within their caucus in 2009. Demo-

crats held 58 seats in January and 60 seats by summer, after Sen. Arlen Specter of Pennsylvania bolted the GOP on April 30 and Sen. Al Franken of Minnesota was sworn in on July 7. That huge majority—the largest that either party enjoyed in the Senate since 1978—spanned a vast ideological spectrum of Democrats, from such die-hard liberals as Sen. Sheldon Whitehouse of Rhode Island and four others who had perfect liberal scores in the vote ratings, to conservative Sens. Ben Nelson of Nebraska and Evan Bayh of Indiana, both of whom had scores to the right of the most liberal Republican, Sen. Olympia Snowe of Maine. With Senate Republicans largely united in opposition, Democratic leaders had to undertake fractious negotiations all year long to try to bring together Whitehouse, Bayh, and all their party's members in between, thus slowing progress on major legislation.

Despite their ideological breadth, Senate Democrats were, to an unprecedented extent, united on foreign policy, which accounted for only a few key votes last year. Three-quarters of the caucus had perfect liberal foreign-policy scores. Members were more divided on social-policy issues, most of which came before the Senate in the form of GOP-sponsored amendments to unrelated bills that were intended to drive a political wedge.

For example, gun-rights advocates racked up considerable victories last year, winning votes to allow guns in the District

of Columbia, guns in national parks, and guns on Amtrak trains. In the process, the vote ratings of several traditionally strong liberals who have pro-gun views, such as Feingold and Sen. Bernie Sanders, I-Vt., moved toward the center. Last February, Feingold was among the 22 Democrats who voted for an amendment repealing the District of Columbia's gun control laws, a poison pill that scuttled the underlying bill that would have given D.C. a voting House member.

It was economic policy, however, that dominated the 2009 agenda and formed the main ideological battleground within Senate Democratic ranks. Issues related to federal spending, the proper size and role of government, and business regulation divided the caucus.

Take the climate-change issue, one of Obama's top legislative priorities in 2009, along with health care reform and the stimulus bill. During the budget debate last spring, Republicans offered an amendment to bar the use of fast-track reconciliation procedures to pass climate-change

legislation. The amendment cleaved the Democratic caucus in two; 31 Democrats voted against it and 26 joined Republicans and voted for it. Although many senators suggested at the time that regional differences were at play, the vote tracked the split between the moderate and liberal wings of the Democratic caucus in *Nf*'s ratings: 21 of the 25 most moderate Democrats voted against fast-track climate-change legislation, and 22 of the 25 most liberal Democrats voted for it.

Sen. Tom Harkin, D-Iowa, a liberal who voted for the fast-track option on climate change, said that the Senate must alter its rules to allow the majority party to get things done. Obama "is right to be pointing out that Congress has basically become dysfunctional," Harkin said. "It's now become tit for tat. It's almost like the Serbs and the Bosnians. They go back to the 11th century about who started what first. With every change of party power here, it ratchets up more and more and more. We've got to stop before it consumes the entire Congress."

Sanders also voted for the fast-track procedures. But he gave Democratic leaders headaches by voting with conservatives against the confirmation of Treasury Secretary Timothy Geithner, against increased support for the International Monetary Fund, and against the release of bank bailout funds to the Obama administration. Sanders's renegade populist economic votes, coupled with his pro-gun votes, pushed him to a surprising 38th place among liberal senators, despite his self-proclaimed socialist preferences.

The liberal half of the Democratic caucus is dominated by senators from states that voted Democratic in most recent presidential elections, including both senators from each of the solidly blue states of California, Hawaii, Illinois, Maryland, Michigan, New Jersey, New York, Oregon, and Rhode Island.

Among them was Sen. Kirsten Gillibrand of New York, who tied with three other senators in 2009 as the 11th-most-liberal. She had perfect liberal scores in the economic and foreign-policy categories, and voted against the liberal bloc on only one key social-policy vote—a measure reaffirming community service requirements for public housing recipients. Gillibrand previously represented a GOP-leaning upstate district in the House, and her vote rat-

ings in 2007 and 2008 were more moderate. After her appointment to the Senate in 2009 to succeed Hillary Rodham Clinton, Gillibrand shifted dramatically to the left, reflecting the more liberal politics of New York state as a whole and her need to fend off liberal primary challengers in a special election this year.

The past two elections wiped out much of the moderate wing of the Senate GOP caucus and replaced it with a mix of Democrats. Five of the 13 Democrats who succeeded Republicans in 2006 and 2008 landed in the liberal half of the caucus in the

vote ratings. Whitehouse and Sen. Sherrod Brown, D-Ohio, who both succeeded moderate Republicans in 2006, received perfect liberal scores in 2009.

The eight other Democrats who won Republican seats in the past two cycles have settled in the more conservative half of the caucus. The class of 2008 moderates, including Sens. Mark Warner of Virginia, Mark Begich of Alaska, and Mark Udall of Colorado, tended to stick with their liberal colleagues a bit more than the class of 2006 moderates did. Sen. Robert Casey, a 2006 winner in Pennsylvania, voted with liberals consistently on economic issues, but his anti-abortion and pro-gun views pushed his social-issues score to the right of most in the caucus. Sen. Claire McCaskill of Missouri regularly dissented on fiscal matters, while maverick Sen. Jim Webb of Virginia had the most conservative rating among Democrats who replaced Republicans in the past two cycles.

Webb was the fifth-most-conservative Democrat overall in 2009, behind Feingold, who sided with conservatives on many fiscal matters; party-switcher Specter; and red-staters Nelson and Bayh. Specter voted with liberals 90 percent of the time on *NJ*'s



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key votes after his party switch at the end of April, but before that, he split his votes evenly between the left and the right. Nelson and Bayh were the two most conservative Democrats in the 2008 ratings as well. When Bayh announced his retirement from the Senate on February 15, he cited the inability of centrists to prevail in Congress.

Given the wide range of Senate Democrats, it's a wonder that Majority Leader Harry Reid, D-Nev., managed on Christmas Eve to get all 60 of them to vote for the health care reform bill, the signature achievement of the caucus's supermajority, which came to an end when Sen. Scott Brown, R-Mass., was elected in January to succeed the late Sen. Edward Kennedy, D-Mass. But it took Reid most of 2009 to get all 60 on board for that fleeting victory. By the beginning of 2010, many moderate Democrats felt that their party had gone too far to the left and had tried to do too much last year. "I have been one of the Democrats that have said some in our party overreach," said Sen. Mary Landrieu of Louisiana.

Senate Republicans: Solid Minority

As 2009 began, Senate Republicans were a bruised and battered bunch, down from 55 members at the end of 2006 to just 41 members. Obama, who had run on the promise of bipartisan cooperation, hoped to divide their ranks by peeling off Republicans on issue after issue. At least early on, that strategy was somewhat effective.

In January of last year, Democrats won the support of five Republicans—including all four women GOP senators—to support a change in pay-discrimination rules. Ten Republicans came to Obama's aid to confirm Geithner, offsetting liberal dissenters. And nine Republicans-including Sens. Lamar Al-

exander and Bob Corker of Tennessee and Richard Lugar of Indiana-voted with liberals to expand the State Children's Health Insurance Program.

The GOP split was even more pronounced on the February 2 vote to confirm Attorney General Eric Holder. Twenty-one of the 30 most-conservative senators in the vote ratingsincluding Jim DeMint of South Carolina and Mike Crapo of Idaho-voted against Holder. Nineteen Republicans, including the eight most-moderate GOPers such as Lugar, Snowe, and Sen. Susan Collins of Maine, voted for Holder.

Senate Minority Whip Jon Kyl of Arizona, who voted to confirm Holder, contended that such bipartisanship is normal in the chamber, especially on lower-profile issues. "There's always bipartisanship in the Senate," he said. "It is simply incorrect to believe that everything is partisan."

Nonetheless, bipartisanship went downhill from there last year. After that early support, Senate Republicans mostly unified against Obama's top legislative goals, starting with the stimulus package, which smacked against their conservative principle of limited government. As the stimulus negotiations went on, moderate Republicans backed away from the president, ultimately leaving only Snowe, Collins, and Specter (still wearing his GOP hat) to vote for the giant package of spending and tax cuts in February.

Over the rest of the year, Senate Minority Leader Mitch Mc-Connell, R-Ky., had much less difficulty keeping his ranks unified than did Reid-in large part because McConnell had a much narrower ideological spectrum to bring together. The depleted GOP ranks ranged from James Inhofe of Oklahomathe only senator with a perfect conservative score in 2009—to Snowe, the most moderate Republican. For much of the year, Snowe was the only member of her caucus willing to consider supporting Obama's health care reform legislation, making Mc-Connell's job all the easier.

The next-most-moderate Republican in the vote ratings, Lugar, made it clear early in the year that he thought Congress should focus on jobs and the economy, not health care. Lugar had been a mentor to Obama in the Senate, and his moderate scores in 2009 largely resulted from his support of the president's nominees, including Supreme Court Justice Sonia Sotomayor and several controversial Justice Department appointees whom conservatives tried to block.

A Lugar spokesman said that the senator tends to back the appointees of both parties' presidents. Lugar also voted against the conservative wing of his party on most foreign-policy issues, because of his willingness to work with Democrats as the ranking member on the Senate Foreign Relations Committee. Interestingly, Lugar tied with his Democratic home-state colleague,

the retiring Bayh, in the 2009 ratings.

The narrowing of the Senate Republican caucus's ideology shows up in the change in the vote ratings from 2008 to 2009. In 2008, Lugar was the 12th-most-moderate Republican and the 37thmost-conservative Republican. His ranking shifted only two places—to 39th-most-conservative in 2009. But seven of the 11 GOPers who were more moderate than he dropped out of the rankingsfour were defeated for re-election, two retired, and Specter switched parties. The Republicans who were more moderate than he was in 2008 were replaced by Democrats in 2009.

One symbol of Senate GOP unity last year is Mc-Cain's vote rating. Although McCain was initially among the more-conservative senators after his election in 1986, his annual ratings shifted to the center from 1994 on as he developed his maverick voting pattern, culminating in his most liberal rating in 2004, when he tied with Specter as the third-most-moderate Republican. In 2009, however, McCain returned to his conservative roots.

His composite score of 84.3 made him the 21st-most-conservative senator. He split with conservatives on only seven of the 99 key votes, four of which were confirmations. McCain's closest neighbors in the 2009 ratings were Sens. Sam Brownback, R-Kan., and Saxby Chambliss, R-Ga. McCain faces a primary challenge from conservative former Rep. J.D. Hayworth.

McCain argues that Democrats could have scored more bi-



partisan victories if they had tried harder to seek Republican input on legislation. "Their strategy has been to pick off one or two Republicans and call it bipartisan," McCain said. "That's bogus, and everybody knows it."

House Democrats: Wiggle Room

In contrast to the gridlock that often besieged Senate Democrats, their House counterparts were relatively productive and efficient in getting their work done in 2009. To be sure, House Republicans

rarely offered support on the highest-profile and most-contentious legislation, and House Democrats didn't suggest even the pretense of bipartisanship on most issues.

But with the Democrats' majority reaching a high-water mark of 258 seats last year, they had the relative luxury to prevail even if as many as 40 of their members abandoned ship. Consequently, on many legislative showdowns on top party priorities, Democratic leaders focused on winning just enough support in their moderate flank to succeed while allowing other skittish centrists to take a pass and vote no, as Altmire did on the health care reform and climate-change legislation.

As a group, the 35 House Democrats with the most-conservative composite scores in the 2009 vote ratings met several common criteria. They were primarily junior (13 are serving their first full term and eight are sophomores) and primarily Southern (16 hail from Dixie). This group includes Rep. Parker Griffith of Alabama, who voted all year as a Democrat but announced on

December 22 that he was switching to the GOP. In addition, 30 of the 35 are members of the Blue Dog Coalition, whose members style themselves as "independent voices for fiscal responsibility and accountability."

Not surprisingly, these members were a persistent source of opposition to Obama's prime agenda items. Of the 23 Democrats who voted against both the cap-and-trade bill in June and health care reform in November, 19 were to the right of the House's center in the vote ratings; the others were Rep. Chet Edwards of Texas, liberal maverick Rep. Dennis Kucinich of Ohio, and first-term Reps. Larry Kissell of North Carolina and Eric Massa of New York. Of these 23 dissidents, 17 are from the South and 18 represent districts that McCain won in 2008.

"I represent my district, and the district clearly didn't support health reform or cap-and-trade," said Altmire, whose suburban Pittsburgh constituents gave McCain 55 percent of their votes. "It's a hard case for my opponent to articulate that I am a lapdog for [Speaker] Nancy Pelosi.... Your voting record does matter."

But Scott Lilly, a senior fellow at the liberal-leaning Center for American Progress, cautioned that centrist Democrats might nonetheless face problems in November. "Members who constantly voted no may be criticized as part of the problem, not the solution," Lilly said. "And the big problem that Democrats may face in the election is getting Democratic voters and liberalleaning independents to turn out to vote."

The vote ratings reveal an interesting disparity between the large freshman and sophomore Democratic classes, which have built the party's current majority. Of the 28 members who replaced Republicans and are serving their first full term, the average composite liberal score was 53.6. By contrast, the 26 sophomore Democrats who took GOP-held seats had an average composite liberal score of 60. In part, that result mirrors the greater number of second-term Democrats who have become politically secure at home.

The freshman Democrats disproportionately filled the voteratings slots at the ideological center of the House in 2009. Of the 16 House members—all Democrats—with the most-centrist scores last year, 10 were first-termers. That result is comparable

> to the 2007 vote ratings, when six of the eight members at the center of the House were in that year's freshman class.

> In 2008, Altmire, then a freshman, was at the precise center of the House. But with the influx of additional Democrats, he moved nearly 20 slots to the right in the 2009 vote ratings.

> Two members, both New York Democrats, are tied at the dead center of the House this year: sophomore Rep. Michael Arcuri and freshman Rep. Michael McMahon. Told about the result, McMahon

for Nancv Pelosi." said he was "pleasantly surprised." He said he hopes that his votes reflect his district centered on Staten Island, where George W. Bush got 55 percent of the vote in 2004 and McCain won with 51 percent in 2008.

"It is not hard for me to figure out the right vote. But I sometimes have to explain it to my colleagues," said McMahon, who voted for last year's climate-change cap-and-trade bill but against health care reform. "Some Democrats tell me that I should vote for the greater good of the party. I tell them that I vote for my district and its interests."

With 80,000 of his constituents working on Wall Street or elsewhere in the financial industry, McMahon has been especially vigilant to represent those interests. On March 19, he was one of only six Democrats to vote against a bill to impose a 90 percent tax on some Wall Street bonuses. "Tip O'Neill's old adage that all politics is local is confirmed to me every day," McMahon said. "Sometimes I feel that I am the only one in the New York delegation who stands up for the financial industry, in making the case for reasonable legislation."

In attempting to keep these swing-district members safe, House Democratic leaders try not to press them too hard to act counter to local interests while still corralling sufficient votes to pass legislation. "If members feel that something will put them in jeopardy with their constituents, it's not my job to substitute for their judgment," said Rep. Chris Van Hollen of Maryland, who works closely with freshman Democrats as assistant to Pelosi.

As 2009 progressed, however, the number of House Democratic defections on key votes increased. Early in 2009, only seven Democrats voted against the stimulus bill and 20 voted against the budget resolution. By December, Democratic leaders struggled



to secure passage of the debt ceiling and jobs bills, which 39 and 38 Democrats opposed, respectively.

At the other end of the House Democratic spectrum, the 40 mostliberal members in the 2009 ratings had high representation from the California delegation (nine members were in this group), the Congressional Black Caucus (13 members), and the Hispanic Caucus (six members). Also among the most-liberal members were five House committee chairmen: Reps. Howard Berman of California, Foreign Affairs; Robert Brady of Pennsylvania, House Administration; Barney Frank of Massachusetts, Financial Services; Louise Slaughter of New York, Rules; and Henry Waxman of California, Energy and Commerce.



He leads the moderate wing of the House GOP, which essentially was decimated over the past two elections.

House Republicans: Lockstep Opposition

House Republicans lost 55 seats over the past two elections, which essentially decimated their moderate wing of mostly Northeastern and Midwestern members. In 2006, 14 Republicans who had composite conservative scores below 60 in that year's vote ratings left the House—either in defeat or by choice; eight more with comparable scores exited in 2008.

In the 2009 ratings, only a handful of House Republicans had ratings to the left of the most-conservative Democrats. The most liberal Republican was Rep. Michael Castle of Delaware, who is running this year for an open Senate seat; he was followed by Reps. John McHugh of New York, who resigned in September to become Obama's Army secretary, and Dave Reichert of Washington.

Eight other Republicans are just to the left of Rep. Bobby Bright of Alabama, the House's most conservative Democrat. Seven represent states in the arc from Illinois to New Jersey, and the eighth is Rep. Joseph Cao of Louisiana, who won what many observers contend was a fluke victory in 2008 over then-indicted Democratic Rep. William Jefferson.

The starkly conservative House GOP Conference that remained after the loss of their moderates voted in lockstep opposition against much of the White House's agenda last year. House Republicans sent a strong message in the early days of Obama's presidency in January, when they united in voting against the stimulus bill.

A few displays of bipartisanship cropped up, such as wide GOP support for funding the wars in Iraq and Afghanistan, and the vote by eight Republicans—six from the Northeast and the Midwest, plus Reichert and Rep. Mary Bono Mack of California—for the cap-and-trade bill. Overall, though, Republicans contended that House rules and the Democrats' large majority, plus Pelosi's often ironfisted control of debate, left them little opportunity to influence what they contend has often been bad legislation.

"It took tremendous courage to vote against the stimulus bill when our members did," said Mike Steel, the spokesman for House Minority Leader John Boehner of Ohio. "The president was at the height of his popularity. It turned out to be the right vote, though it wasn't easy at the time." Steel cited a CBS News/New York Times poll this month showing that only 6 percent of the people believe that the stimulus bill has already created jobs.

Boehner and the two other top House GOP leaders were among the chamber's 40 most-conservative members in the 2009 ratings. This group at the conservative end of the House's ideological spectrum also includes a familiar component: 10 Texans.

Boehner, the 14th-most-conservative House member in 2009, has a reputation for occasionally moderate voting behavior, partly because of his often-bipartisan work as chairman of the since-renamed House Education and the Workforce Committee from 2001 to '06. He has been consistently conservative since taking over as minority leader in 2007, however. "Some people still ally Boehner with the centrists," a House GOP aide said. "But these results show that he is a leading conservative."

By contrast, the ranking GOP

members on key House committees mostly had less conservative scores than the party leaders. Rep. Dave Camp, R-Mich., who took over last year as the top member on Ways and Means, ranked in the one-fourth of House Republicans with the most-moderate scores; Camp has been viewed as a mainstream conservative who is comfortable with Boehner.

With their largely unified ranks, House Republicans have typically kept their eyes glued on the Democrats and their growing defections. Having suffered their own painful loss of the majority in 2006, Republicans are mindful that the political fates sometimes trump legislative machinations and independent votes. As a House GOP leadership aide noted, "Many of their freshmen know that they are in difficult districts. But their votes won't help them at the end of the day."

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An interactive database of the complete 2009 vote ratings is available at www.nationaljournal.com/2009voteratings.

- View all members in each chamber from most liberal to most conservative.
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- Learn more detail about the key votes used to calculate the ratings.

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